

17507. Adulteration and misbranding of cottonseed meal. U. S. v. 300 Sacks of Cottonseed Meal. Default decree of destruction. (F. & D. No. 24584. I. S. No. 016939. S. 2925.)

Samples of cottonseed meal from the herein-described interstate shipment having been found to contain less ammonia and protein than declared on the label, the Secretary of Agriculture reported the facts to the United States attorney for the Eastern District of Tennessee.

On March 3, 1930, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 300 sacks of cottonseed meal, remaining in the original unbroken packages at Athens, Tenn., alleging that the article had been shipped by the Rome Oil Mill, Rome, Ga., on or about January 21, 1930, and transported from the State of Georgia into the State of Tennessee, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "Etowah Brand Cottonseed Meal, Manufactured by Rome Oil Mill, Rome, Ga. Guaranteed Analysis Ammonia 7% Crude Protein 36%."

It was alleged in the libel that the article was adulterated in violation of section 7 of the act in that it was deficient in protein and ammonia.

Misbranding was alleged for the reason that the statements on the label, "Cottonseed Meal Guaranteed Analysis Ammonia 7.00%, Crude Protein 36.00%," were false and misleading and deceived and misled the purchaser since the ammonia content was less than 7 per cent, and the protein content was less than 36 per cent.

On March 24, 1930, no claimant having appeared for the property and the Rome Oil Mills of Rome, Ga., having agreed that judgment of condemnation and forfeiture be entered in the case, it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17508. Adulteration of canned spinach. U. S. v. 9½ Cases of Canned Spinach. Default order of destruction entered. (F. & D. No. 23787. I. S. No. 04162. S. 1997.)

Samples of canned spinach from the herein-described shipment having been found to contain decomposed material, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of West Virginia.

On August 15, 1929, the United States attorney filed in the District Court of the United States for the said district a libel praying seizure and condemnation of 9½ cases of canned spinach at Huntington, W. Va., alleging that the article had been shipped by the Comstock Canneries (Inc.), from Marion, N. Y., on or about March 16, 1929, and transported from the State of New York into the State of West Virginia, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Sweet Violet Brand Extra Fine Spinach * * * Mt. Morris Canning Co., Mt. Morris, N. Y."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy, putrid, decomposed vegetable substance.

On October 7, 1929, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17509. Adulteration and misbranding of coffee. U. S. v. 4 Cases of Coffee. Default decree of condemnation and destruction. (F. & D. No. 24525. I. S. No. 029941. S. No. 2807.)

Samples of coffee from the herein-described interstate shipment having been found to contain chaff, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of Mississippi.

On February 13, 1930, the United States attorney filed in the District Court of the United States for said district a libel praying seizure and condemnation of 4 cases of coffee at Jackson, Miss., alleging that the article had been shipped by the Maury Cole Co., from Memphis, Tenn., on or about August 16, 1929, and transported from the state of Tennessee into the State of Mississippi, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: (Cans) "Mar Co Brand * * * a Scientific Blend of Coffee and Chicory * * * packed by Maury Cole Co."

It was alleged in substance in the libel that the article had been shipped in violation of the said food and drugs act in that a substance, coffee chaff, had been mixed and packed with and substituted in part for coffee.

Misbranding was alleged for the reason that the article was labeled so as to deceive and mislead the purchaser in that the said label represented that the product was steel-cut, ground coffee, whereas it was not. Misbranding was alleged for the further reason that the labels on the said product were false and misleading.

On May 14, 1930, no claimant having appeared for the property, judgment of condemnation was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17510. Misbranding of biscuits. U. S. v. 100 Dozen Packages of Biscuits. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24731. I. S. No. 023674. S. No. 3084.)

Sample packages of biscuit from the herein-described interstate shipment having been found to contain less than 8 ounces of the product, the weight represented on the label, the Secretary of Agriculture reported the matter to the United States attorney for the District of Colorado.

On April 25, 1930, the United States attorney for the District of Colorado filed in the District Court of the United States for said district a libel praying seizure and condemnation of 100 dozen packages of biscuits, remaining in the original unbroken packages at Denver, Colo., consigned by the Loose-Wiles Biscuit Co., Kansas City, Mo., alleging that the article had been shipped from Kansas City, Mo., on or about April 8, 1930, and transported from the State of Missouri into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended. The article was labeled in part: "Sunshine Salted Krispy Crackers Net Weight 8 Ozs. Loose-Wiles Biscuit Co. Address-New York."

It was alleged in the libel that the article was misbranded in that the statement on the label, "Net Weight 8 Ozs.," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was food in package form and failed to bear a plain and conspicuous statement of the quantity of the contents since the statement made was incorrect.

On May 13, 1930, the Loose-Wiles Biscuit Co., a New Jersey corporation, claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$200, conditioned in part that it be relabeled under the supervision of this department to show the correct weight of the contents of the packages.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17511. Adulteration and misbranding of vinegar. U. S. v. Central City Pickle Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 23731. I. S. Nos. 01926, 08381, 23654-x, 23668-x, 23706-x.)

Samples of vinegar from the herein-described interstate shipments having been found to consist in large part of an acid substance other than apple-cider vinegar or cider vinegar, and to be artificially colored, and a portion thereof having been found deficient in acidity, the Secretary of Agriculture reported the facts to the United States attorney for the Southern District of Illinois.

On September 27, 1929, the United States attorney filed in the District Court of the United States for said district an information against the Central City Pickle Co., a corporation, Peoria, Ill., alleging shipment by said company, in violation of the food and drugs act, in various consignments, on or about September 21, September 30, December 28, and December 30, 1927, respectively, from the State of Illinois into the State of Wisconsin, of quantities of vinegar which was adulterated and misbranded. The article was labeled in part: "Apple Cider Vinegar" or "Cider Vinegar." A portion was further labeled: "Diluted to 45."

It was alleged in the information that the article was adulterated in that an acid substance other than apple-cider vinegar, or cider vinegar, had been mixed and packed therewith so as to lower and reduce and injuriously affect its